

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
LUISA C. ESPOSITO :

Plaintiff, :

-v- :

THE STATE OF NEW YORK, et al. :

Defendants. :  
----- X

07cv11612 (DLC)

ORDER

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 6/9/2016
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DENISE COTE, District Judge:


This action was dismissed on August 8, 2008. Motions to reopen were denied in 2010 and on May 12, 2016. On May 25, plaintiff Luisa Esposito moved for reconsideration of the Court's May 12 Order.

The standard for granting a motion for reconsideration is "strict, and reconsideration will generally be denied unless the moving party can point to controlling decisions or data that the court overlooked." Analytical Surveys, Inc. v. Tonga Partners, L.P., 684 F.3d 36, 52 (2d Cir. 2012) (citation omitted) (discussing a motion under Rule 59(e), Fed. R. Civ. P.). "A motion for reconsideration should be granted only when the defendant identifies an intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice." Kolel Beth Yechiel Mechil

of Tartikov, Inc. v. YLL Irrevocable Trust, 729 F.3d 99, 104 (2d Cir. 2013) (citation omitted). It is "not a vehicle for relitigating old issues, presenting the case under new theories, securing a rehearing on the merits, or otherwise taking a second bite at the apple." Analytical Surveys, 684 F.3d at 52 (citation omitted). In her moving papers, Esposito largely restates the same arguments raised in her 2016 Rule 60(b) motion, and has not shown grounds for reconsideration of her motion. Accordingly, it is hereby

ORDERED that Esposito's May 25 motion for reconsideration is denied.

Dated: New York, New York  
June 9, 2016

  
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DENISE COTE  
United States District Judge

COPIES SENT TO:

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